

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;
Tony Hammond, Vice Chairman;
Mark Acton;
Ruth Y. Goldway; and
Nanci E. Langley

Competitive Product Prices
Global Expedited Package Services 3 (MC2010-28)
Negotiated Service Agreements

Docket No. CP2014-68

ORDER GRANTING MOTION FOR TEMPORARY RELIEF

(Issued October 20, 2015)

The negotiated service agreement approved in this proceeding (Existing Agreement) is scheduled to expire on October 31, 2015.¹ The Postal Service has filed a motion for temporary relief requesting extension of the expiration date to November 30, 2015.²

The Postal Service asserts that it has sent a modification to its customer that states that the agreement that is the subject of this docket will expire on November 30, 2015. Motion at 1. The Postal Service further states that it intends to initiate a new rate

¹ Order Approving Modification Three to a Global Expedited Package Services 3 Negotiated Service Agreement, September 16, 2015, at 2 (Order No. 2713).

² Motion of the United States Postal Service for Temporary Relief Concerning Global Expedited Package Services 3 Negotiated Service Agreement, October 15, 2015 (Motion).

docket in which it will file a successor to the Existing Agreement. *Id.* To maintain continuity of pricing and other terms and conditions of the Existing Agreement, the Postal Service requests the Commission to approve an extension to allow the Existing Agreement to remain in effect and on the Mail Classification Schedule through November 30, 2015. *Id.*

If the Motion is granted, this will be the third extension of the expiration date of the agreement that is the subject of this docket. The first extension was granted by an order issued August 24, 2015.³ That order extended the expiration date from August 31, 2015, to September 30, 2015. *Id.* at 2. The second extension was authorized by an order approving the third modification to the agreement. See Order No. 2713, *supra*, n.1. The pending Motion requests a further extension of the expiration date to November 30, 2015. Motion at 1.

The requests for extension that have been filed in this docket are not unique. Indeed, they are part of a growing pattern. On the same day it filed its Motion, the Postal Service sought temporary relief for another Global Expedited Package Services 3 negotiated service agreement.⁴ On October 8, 2015, the Postal Service filed a second request for extension of the expiration date of a Priority Mail Contract 40 negotiated service agreement.⁵

In Order No. 2753, issued October 15, 2015, the Commission reiterated its expectation that “any future extensions ‘should state with particularity the circumstances necessitating the additional extension.’”⁶ The same expectation applies to the pending Motion in this docket. In making its request, the only support offered by the Postal

³ Order Granting Motion for Temporary Relief, August 24, 2015 (Order No. 2678).

⁴ See Docket No. CP2014-78, Motion of the United States Postal Service for Temporary Relief Concerning Global Expedited Package Services 3 Negotiated Service Agreement, October 15, 2015.

⁵ Docket No. CP2012-46, Motion of the United States Postal Service for Temporary Relief, October 8, 2015.

⁶ Docket No. CP2012-46, Order Granting Second Motion for Temporary Relief, October 15, 2015 (Order No. 2753) at 2 (*citing* Order No. 2660, Order Granting Motion for Temporary Relief in Part, August 12, 2015, at 2.

Service for the requested extension is its assertion of the desirability of maintaining continuity of pricing and other terms and conditions pending institution of the new rate docket in which it intends to file a successor agreement. Motion at 1.

The Commission, however, recognizes that Order No. 2753 was issued on the same day that the Motion was filed in this docket and was, therefore, not available to the Postal Service at the time it submitted its Motion. Under these circumstances and in light of the absence of any known harm to the public interest or prejudice to any party, the Commission grants the Motion.

The Existing Agreement may continue through and will expire on November 30, 2015, unless terminated earlier pursuant to the terms of the agreement

It is ordered:

1. The Motion of the United States Postal Service for Temporary Relief, filed October 15, 2015, is granted.
2. The Existing Agreement will remain on the Mail Classification Schedule through November 30, 2015, unless terminated earlier pursuant to the terms of the agreement.

By the Commission.

Ruth Ann Abrams
Acting Secretary